

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**
Plaintiff

v.

**WASHINGTON GROUP
INTERNATIONAL, INC.**
Defendant

Docket No. 04-12097-GAC;
DISTRICT OF MASS.

MOTION TO INTERVENE AS PLAINTIFFS

I. INTRODUCTION

Now Come Godwin Enagbare (“Enagbare”) and Joe L. Willis (“Willis”) (collectively “Intervenor”) and hereby move this Honorable Court to issue an order permitting them to intervene as plaintiffs in this action and to file a complaint, pursuant to Fed.R.Civ. P. 24(a), M.G.L. c. 151B and other relevant common law claims.

IN SUPPORT THEREOF, the Intervenor state as follows:

1. A Complaint of Intervenor is submitted herewith and incorporated herein in support of this motion.
2. In support of their Motion to Intervene, Plaintiffs Willis and Enagbare are filing the attached Memorandum of Law and Affidavit of their counsel, Jacques A. Dessin, setting forth the statutory and factual basis for the intervention in this action.
3. As set forth in the certificate of consultation, the parties to this original action have been contacted. The EEOC consents to this Motion to Intervene, and counsel for the Defendant has not responded to Plaintiffs’ letter of consultation in connection with this Motion to Intervene, dated December 29, 2004.

Defendant has not responded to Plaintiffs' letter of consultation in connection with this Motion to Intervene, dated December 29, 2004.

WHEREFORE, Plaintiffs Godwin Enagbare and Joe L. Willis, respectfully request that this Honorable Court grant the following relief:

- A. That this Court allow Plaintiff to Intervene as a matter of right;
- B. Amend the caption in accordance with the proposed Complaint of Intervenors;
and
- C. Such other and further relief as justice may require.

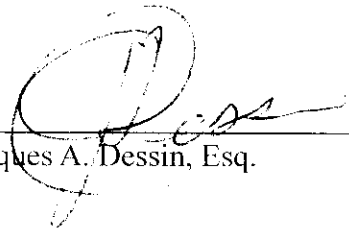
Respectfully submitted,
Godwin Enagbare and
Joe L. Willis,
By their attorney

Jacques A. Dessin, Esq.
BBO No. 641063
Dessin & Associates, Attorney &
Counsellor At Law
236 Huntington Avenue, Suite 301-304
Boston, MA 02115
(617) 262-4800

Dated: December 29, 2004

CERTIFICATE OF CONSULTATION

The undersigned counsel for intervening Plaintiffs conferred with Erin K. Higgins, Esquire, counsel for Defendant Washington Group International by leaving them a message on December 29, 2004, faxing and mailing a letter to ascertain positions of the original Defendant on this Motion to Intervene. On or about November 24, 2004, counsel for intervening Plaintiffs conferred with R. Liliana Palacios, Esquire, Attorney for the EEOC, to ascertain the EEOC's position on Motion to Intervene. Counsel for the EEOC does not oppose this motion. Defendant's Counsel has failed to respond to Plaintiffs' consultation efforts.



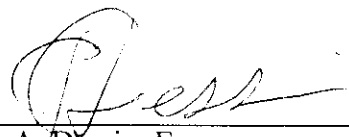
Jacques A. Dessin, Esq.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the within Motion to Intervene to the following counsel(s) by first class mail on this 7th day of February 2005:

R. Liliana Palacios, Esq.
Equal Employment Opportunity Commission
Boston Area Office
John F. Kennedy Federal Building,
Room 475
Boston, MA 02203-0506

Erin K. Higgins, Esq. (Counsel For WGI)
Conn Kavanaugh Rosenthal Peisch & Ford, LLP
Ten Post Office Square
Boston, MA 02109



Jacques A. Dessin, Esq.